

1. a. How is the set back distance figured, i.e, from the center of the road right of way and then so many feet to the closest part of the building. And at a right angle to the closest road (ROW) point. (A sample drawing maybe easiest to absorb)

*Required setback is 50 feet from ROW. One first needs to find the width of the ROW divide by two, add this distance to the 50 foot setback and measure from the centerline of the road to the closest point on the structure. This assumes that the center of the road is in the center of the right of way. After research my assistant and I found town records that list the section of Douglas Highway from McQuinn Road to the Pinkham Flats Road to be a three rod right of way. 16.5 feet times 3 is a 49.5 foot ROW divide by 2 means 25 feet is added to the 50 foot setback and a measurement of 75 feet from the centerline should be met.*

b. Who measured the distance to the foundation? How many persons measured the distance? How many times was the distance measured. There is a saying in carpentry: measure twice and cut once.

*At the January 4, 2016 Planning Board meeting questions were asked concerning the proximity of the structure to the Road. I looked at the application after the meeting and found it to show the structure would be 65 feet from the ROW. The Following Wednesday January 6, 2016 I received an email from Broughman Builders Showing a copy of a survey that stated the 50 foot setback had not been met. I contacted MDOT to ask what the ROW was for that section of Douglas Highway and was told their records showed a 4 rod ROW from Route 1 to McQuinn Road, but no records of anything beyond McQuinn Road. They suggested I look in Town records or Old County Records. On January 11, 2016 My assistant and I researched Lamoine Road records and found listed the section of Douglas Highway from McQuinn Road to the Pinkham Flats Road to be a three rod right of way. Later on January 11, I met with Mike Wight of Broughman Builders to discuss the setback and referred him to the BOA. I also issued a Notice of Violation regarding the structure not meeting the required setback from Douglas Highway.*

2. When did the Lamoine CEO check out the distance? Was it before the start of the construction or during the construction.

*I have not measured the setback myself, I based my information on the survey presented to me by Broughman Builders signed by a surveyor and information from Mike Wight during the meeting of January 11, 2016.*

3. Since I was informed tonight at the conclusion of the meeting, there is a survey of the property showing distances. I would like to have this available for the Board.

*The survey was emailed to me on January 6 and is attached to this email*

4. Were the owners aware of our Ordinance and the set back requirements? if, no why would they not check with the CEO or Town Office.

*I asked Mike Wight why he had not called me to inspect the foundation before pouring the concrete. He said that he had called me and I had not responded. I did not receive a call or get a message from my answering machine. But regardless if I did not respond he should have called me back or called the Town Office. His choice to pour the concrete without an inspection was his decision and he alone is responsible for the results.*

5. How much property is involved in the parcel? If a waiver is granted, would it effect how the remainder of the property may be developed

*I can not answer that question as to acreage from outside the office. There is more land available behind the house in the field. I wonder what the reason was to crowd the house so far forward towards the road.*